



Northfield Rental Licensing & Nuisance Changes

Overview

1. Identified problems
2. Goals
3. Proposed changes (highlighting decision points)
 - a) Rental Licensing
 - b) Administrative Citations
 - c) Abatement
 - d) Nuisances
4. Supporting pieces
 - a) Standard Operating Procedures
 - b) Decision Charts
5. Next steps
 - a) Community feedback & outreach (stakeholders & equity committee)
 - b) Other staff
 - c) Council/Commission review
6. Questions

Identified weaknesses in current code

- Rental housing licensing one-size-fits-all
- Standards of care don't match problems
- Limited tools for administration & enforcement
- Different standards from homeowners
- No standard abatement process

Goals

- Improve quality of housing
- Clearer standards & procedures
- Efficient use of resources, staff time
- Improve tools for administration and enforcement
- Engage stakeholders
- Shift focus to tenants
- Remove outdated provisions

Rental Licensing

- Clear standards for landlords
- Establish process for non-compliant properties
- Common renter issues
- Reporting procedures
- Efficient staff time
- Remove dated language
- Consistency with other areas of code

Current Code

- Article III, §§ 14.76-14-138
- Problematic purpose statement
- Licensing, zoning, property maintenance code items, repeat of building codes, nuisances, hazardous buildings, etc.
- Two licenses: Long term and short term
- No enforcement mechanisms

Proposed Changes to Code

- New, shortened purpose statement
- Move zoning, property maintenance code, nuisances, hazardous buildings all to their respective places
- Remove redundant/conflicting requirements
- Three license types (plus temp)
- Require mitigation and action plans
- Add in items addressing common tenant issues
- Specify how inspectors should handle common issues outside of their expertise (mold, infestation, etc.)
- Allow for inspections based on complaints and prospective inspections by landlords

Rental Licensing Program

Attorney-Client Privileged

1

Responsible Landlords

2

Compliance issues, address before becoming major issues (Action Plan)

3

Ongoing or Major/multiple compliance issues (Mitigation Plan)



Temporary Permit

Licensing Category	Licensing Period	Minimum Inspection Frequency	Required Improvement Plan	Number of Units	Property or Nuisance code violations allowed per inspection per unit
Type I	2 years	1 in 2 years, upon request, or as needed as determined by the City	N/A	1-2	Not more than 4
				3+	Not more than 1.5
Type II	1 year	1 per year, upon request, or as needed as determined by the City	Action Plan	1-2	Greater than 4 but less than 8
				3+	Greater than 1.5 but less than 3
Type III	6 months	1 every 6 months, upon request, as specified by the Mitigation Plan, or as needed as determined by the City	Mitigation Plan	1-2	8 or more
				3+	3 or more
Temporary	1 year or less	Once per year, upon request, or as needed as determined by the City	N/A	N/A	3 or more

Example

- Gryffindor Gates
 - 10 units
 - Inspection finds 15 violations
 - $10/15 = 1.5$
 - Type I License
- Slytherin Stables
 - 5 units
 - Inspection finds 10 violations
 - $5/10 = 2$
 - Type II License

Enforcement - Current Code

- Sec. 1-8 and then with each section
- Criminal violations only
- No administrative citations
- No processes for appeals
- No abatement procedures

Enforcement – Goals

- Clear language, process & procedures
- Give more tools to staff
- Allow for different levels of enforcement
- Gives teeth to the rental licensing program
- Internal process vs. criminal court process
- Complements criminal process
- Abatement procedures

Enforcement - Proposed Changes to Code

- Move all enforcement into one chapter with three articles
- Criminal remains the same
- Administrative enforcement—order to correct and then administrative citations (w/exceptions)
- Fines and fees
- Internal appeals process for rental housing*
- Abatement*

Nuisances - Current Code

- Codified in many sections
- Criminal violations only
- No administrative citations
- No processes for appeals
- Limited abatement procedures, such as shoveling, mowing, or diseased tree removal
- No discussion of enforcement authority

Nuisances - Goals

- Clear language, process, procedures
- Clarity in what constitutes a “nuisance”
- Allow administrative process and criminal
- Addresses common complaints
- Designates who is responsible internally for enforcement
- Gives staff authority to investigate
- Abatement procedures

Nuisances – Proposed Changes to Code

- Recodify nuisance provisions into categories:
 - Health
 - Peace & Safety
 - Morals/Decency
 - Vehicles
- Identify when correction is appropriate vs. immediate citation vs. immediate abatement*
- Addresses common complaints not currently covered
- Provide broad enforcement authority
- Abatement procedures with due process protections

Decision Points—Enforcement

- Internal appeals process for rental housing license actions
 - Hearing officer
 - City Council
- Abatement appeals process
- Abatement levels?
 - Abatement (staff only)
 - Major Abatement (City Council, with hearing)
 - Summary Abatement (fast action, appeal costs after)
 - Snow, vegetation, immediate threat, what else?
 - Appeal of any abatement to City Council/Hearing officer

Abatement Options

Major Abatement

City Council Hearing/Order

\$10,000+

Entire building, cleanups, etc.

Standard Abatement

Staff Order

<\$10,000

Vehicle storage, yard cleanup, waste removal, etc.

Summary/Emergency Abatement

Staff or Council

Immediate threat

Snow, collapse, public property, vegetation

Decision Points—Nuisances

- Move all nuisance to one area?
- Any nuisances to automatically be cited versus an order to correct?
- Timelines for order to correct: not less than 24 hours and not more than 14 calendar days without an extension?
- Extensions up to 30 days with showing of progress or good cause.

Decision Points—Fines/Fees

- Maximum fine for administrative offense.
- Administrative fees and interest for 429 process
- Modify fee schedule to update and align with code changes*

Supporting pieces

- Standard documents
 - orders to correct
 - administrative citations
 - notices
- Standard operating procedures
 - Property seizure/disposal
 - Handling of difficult situations (“junk house,” difficult owners, threat to health/life, etc.)
- Decision flowcharts for staff
- References to associated state statutes for hazardous buildings, building code violations, condemnation, vehicle disposition, etc.
- Plain language resources for web site and translation

Next steps

- Review with stakeholders
- Staff team review of final drafts
- Prepare tools and staff for implementation
- Present proposed changes to HRA
- City Council review of final drafts
- Schedule City Council formal action
- Passage
- Implementation
- (Phase II)

Phase 2

- Short-term rentals/VRBO
- Consideration of zoning and density limits for rentals
- Code clean-up based on experience



Questions?